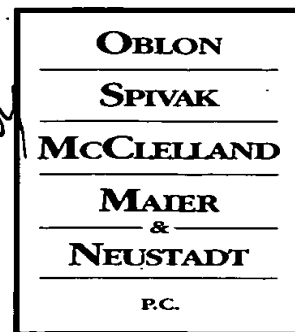




Docket No.: 209637US2

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/875,974  
Applicants: Tsuyoshi KOMAKI, et al.  
Filing Date: June 8, 2001  
For: OPTICAL INFORMATION MEDIUM AND MAKING  
METHOD  
Group Art Unit: 2652  
Examiner: CAO, A.

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MAY 10 2004

Technology Center 2600

SIR:

Attached hereto for filing are the following papers:

**RESTRICTION RESPONSE**

Our check in the amount of **-\$0.00-** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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I:\ATTY\PH\209637\REST CVR 050704.DOC

Philip J. Hoffmann

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209637US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
TSUYOSHI KOMAKI, ET AL. : EXAMINER: CAO, A.  
SERIAL NO: 09/875,974 :  
FILED: JUNE 8, 2001 : GROUP ART UNIT: 2652  
FOR: OPTICAL INFORMATION :  
MEDIUM AND MAKING METHOD

RESTRICTION RESPONSE

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

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SIR:

In response to the Office Action dated April 7, 2004, Applicants elect with traverse the invention of group I, Claims 1-3, drawn to an optical information medium apparatus.

Applicants respectfully traverse the restriction requirement for the following reason.

MPEP § 803 states:

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

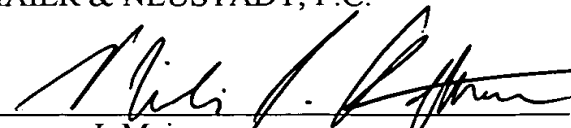
The claims of the present invention would appear to be part of an overlapping search area. Accordingly, Applicants respectfully traverse the outstanding requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Application No. 09/875,974  
Reply to Office Action of April 7, 2004

Therefore, it is respectfully requested that the requirement to elect a single invention be withdrawn, and that a full examination on the merits of Claims 1-10 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
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